

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LOUIS ANTHONY LAGOIS, by and  
through his legal guardian, MICHAEL  
GROSS,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,

Defendant.

Case No. C17-310-RAJ-JPD

REPORT AND RECOMMENDATION

This matter comes before the Court upon plaintiff's application to proceed *in forma pauperis* ("IFP") in the above-entitled action. Dkt. 1. Specifically, plaintiff's IFP application indicates that his annual gross income in the last year from pensions, annuities, or life insurance payments and social security totals \$74,364.14. Even after plaintiff's various expenses, which total \$3,925 per month, plaintiff has approximately \$2,272 in discretionary income every month.

After careful consideration of plaintiff's IFP application, the governing law, and the balance of the record, the Court recommends DENYING plaintiff's application to proceed IFP

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(Dkt. 1) and directing him to pay the \$400 filing fee within thirty (30) days of the date of the Order adopting this Report and Recommendation. Plaintiff is advised that failure to pay this filing fee will result in dismissal of this action. A proposed order accompanies this Report and Recommendation.

Objections to this Report and Recommendation, if any, should be filed with the Clerk and served upon all parties to this suit by no later than **March 23, 2017**. Failure to file objections within the specified time may affect your right to appeal. Objections should be noted for consideration on the District Judge's motion calendar for the third Friday after they are filed. Responses to objections may be filed within **fourteen (14)** days after service of objections. If no timely objections are filed, the matter will be ready for consideration by the District Judge on **March 24, 2017**.

This Report and Recommendation is not an appealable order. Thus, a notice of appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the assigned District Judge acts on this Report and Recommendation.

The Clerk of the Court is directed to send copies of this Report and Recommendation to the plaintiff and to the Honorable Richard A. Jones.

DATED this 9th day of March, 2017.



JAMES P. DONOHUE  
Chief United States Magistrate Judge